

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

DEXTER L. McMILLAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:09-CV-271
	)	
LINDA MILLER and	)	
DEBORAH HAYES,	)	
	)	
Defendants.	)	

**ORDER**

This matter is before the court on the Report and Recommendation filed by United States Magistrate Judge C. Clifford Shirley on July 2, 2009 [doc. 2]. There have been no timely objections filed to this Report and Recommendation, and enough time has passed to treat any objections as having been waived. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). Magistrate Judge Shirley recommended that plaintiff's complaint be dismissed pursuant to 28 U.S.C. § 1915(e): (1) as frivolous; and (2) for failure to state a claim on which relief may be granted.

After a careful review of this matter, the court is in complete agreement with Magistrate Judge Shirley's conclusion that plaintiff's complaint should be dismissed. The court therefore **ACCEPTS IN WHOLE** the Report and Recommendation under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). It is **ORDERED**, for the reasons stated in the Report

and Recommendation, which the court adopts and incorporates into this ruling, that this case is **DISMISSED**.

**IT IS SO ORDERED.**

ENTER:

s/ Leon Jordan  
United States District Judge